

Civil Action No. 3:23-CV-3117-DPJ-FKB

B. Nicole Burge admits that she is an adult resident citizen residing at 10830 Road 553, Philadelphia, Mississippi 39350 in Neshoba County, State of Mississippi. As to Defendants Nos. 2 through 4, Nicole Burge is without sufficient knowledge or information to admit or deny the allegations contained in Plaintiff's complaint.

II. Nicole Burge denies that Plaintiff's complaint establishes jurisdiction by alleging a federal question as to she, nor by diversity of citizenship.

A. All allegations of Plaintiff's assertion of a federal question are denied as to Nicole Burge, and that defamation [*sic*] of character does not constitute a federal question.

B. Nicole Burge wholly denies that there is a basis for jurisdiction by diversity of citizenship.

III. Nicole Burge wholly denies the Statement of Claim in Plaintiff's complaint.

IV. Nicole Burge denies that the Plaintiff is entitled to any damages including for pain and suffering.

V. Nicole Burge denies the allegations of Plaintiff's Certification and Closing and would show unto this Court that his complaint is frivolous.

AFFIRMATIVE DEFENSE

FIRST DEFENSE

The Court lacks subject matter jurisdiction over this action.

SECOND DEFENSE

The Complaint, and each allegation therein, fails to state a claim upon which relief can be granted.

THEREFORE Nicole Burge asks this Court to dismiss the complaint against her and enter judgment in her favor.

WHEREFORE, having answered the Complaint and having set forth her affirmative defenses thereto, Nicole Burge respectfully requests that this Court:

- a. Order that Plaintiff take nothing by his lawsuit;
- b. Dismiss this action as to Nicole Burge with prejudice;

- c. Award Nicole Burge reasonable costs and attorney's fees; and
- d. Grant such other and further relief as the Court deems appropriate.

Respectfully Submitted,

NICOLE BURGE

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CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2024, I electronically filed the foregoing pleading with the Clerk of Court using the ECF system which will send notification of such filing to all parties of record.

s/Christopher A. Collins
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